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Date: March 31, 2006 By: Anna M. Vradenburgh

OIPE IAP47 MAR 31 2006 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Raffie Eskandarian	
Serial No.: 09/912,764	**Examiner: A. Sherkat**
Filed: July 25, 2001	**Art Unit: 2131**
For: Method, Process And Apparatus For Receiving, Storing and Accessing Authorization Data	**Docket No. 756-24-002** **Confirmation No. 5610**

APPEAL BRIEF

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APPEAL BRIEF

1. Real Party in Interest:

The real party in interest is Signscript, Inc., the owner and assignee of the subject application, as recorded in Reel/Frame 016661/0090.

2. Related Appeals and Interferences:

There are no related appeals or interferences.

3. Status of Claims:

Claims 1-17 are pending in the application and all are finally rejected. No claims have been canceled.

4. Status of Amendments:

Claims 1 and 9 were amended in a request for reconsideration filed on November 7, 2005, to correct a typographical mistake. These amendments were entered for purposes of appeal.

5. Summary of Claimed Subject Matter:

a. Introduction

Global or wide area networks provide a platform for users to transact business, including purchasing goods and services. In the instance of the purchase of a product or services, consumers that purchase merchandise or services on the network present credit card and payment information to an on-line merchant via a user computer. However, in most purchase transactions utilizing a credit card on a network the merchant does not receive a signature for the purchase. A problem with the failure to receive a signature is that the transaction can be easily disputed by the consumer. Indeed, without the consumer's signature on a credit slip, most credit card companies simply issue a refund with no investigation as to whether services were indeed provided, or whether a product was delivered. This results in a "charge back" to the merchant, which can affect the merchant's ability to accept credit cards in payment for transactions.

Embodiments of the present invention are directed to a method and apparatus for a data input, storage and retrieval system for obtaining and storing authorization data, such as a signature, from a user. In embodiments of the invention, a user can 'sign' a document presented to the user via the user's computer screen and an input device, for example, a standard input/output equipment such as a mouse. A software applet configures an input pad on the computer display and is configured to receive the user's signature. No further software or hardware is required. The input device, which controls the computer pointer or cursor on the computer display, allows the user to 'see' his signature as it is entered in the input pad via the input device, such as the mouse. If the signature is acceptable to the user, the user can submit the signature via a submit button. If the user is not satisfied with the signature, the user can clear the input pad via a clear button, and resign his name.

After the input data has been processed, a processing script receives the input data and stores the data in a storage database in conjunction with a unique code. In this manner the signature can be retrieved via the unique code if a dispute arises with respect to the authorization of the transaction, that is, the document bearing the user's signature can be retrieved to prove the authorization of the transaction.

b. Independent Claim 1:

Claim 1 is directed to a data receiving device for accepting user indicia of

authorization on a computer network 10 having a user computer 12, wherein the user computer includes a display device and a pointer that defines locations on the display device. (Specification at 9, paragraph 2.) The data receiving device comprises an input device 38. The input device is configured to control the pointer in the computer and configured to move the pointer in a continuous path on the display device. (Specification at 9, paragraph 2.) A data processor 40 includes a software applet 42 and a fitting algorithm. (Specification at 9, paragraph 3; Figure 2.) The software applet configures an input pad 46 having a data receiving region 48, which is defined by a matrix grid. (Specification at 10, paragraph 3; Figure 3.) The fitting algorithm is configured to smooth user indicia input into the input pad. (Specification at 10, paragraph 4.) The data receiving device further comprises a storage database 34 and a processing script 44. (Figure 2.) The processing script receives the processed input user indicia and stores the user indicia in the storage database. (Specification at 13, paragraph 14.)

c. Independent Claim 5:

Claim 5 is directed to a system for receiving device and processing user indicia of authorization on a computer network having a user computer 12, wherein the user computer includes an input device, a display device and a pointer that defines locations on the display device. (Specification at 9, paragraph 2.) The input device is configured to move the pointer in a continuous path on the display device. (Specification at 9, paragraph 2.) A data processor 40 includes a software applet 42 and a fitting algorithm. (Specification at 9, paragraph 3; Figure 2.) The software applet configures an input pad 46 having a data receiving region 48, which is defined by a matrix grid. (Specification at 10, paragraph 3; Figure 3.) The fitting algorithm is configured to smooth user indicia input into the input pad. (Specification at 10, paragraph 4.) The system further comprises a storage database 34 and a processing script 44. (Figure 2.) The processing script receives the processed input user indicia and stores the user indicia in the storage database. (Specification at 13, paragraph 14.)

d. Independent Claim 9:

Claim 9 is directed to a method for receiving and processing user indicia of authorization on a computer network 10 having a user computer 12. The user computer 12 includes an input device, a display device and a pointer that defines locations on the display

device. The input device includes an entry member and is configured to move the pointer in a continuous path on the display device. The method comprises presenting a user an HTML page containing an applet. (Specification at 10, paragraph 2.) The applet configures an input pad having a data receiving region on the display device. (Figure 3; Specification at 15, lines 2-5.) The method further includes placing the pointer within the data receiving region via the input device and depressing the entry member on the input device. (Specification at 15, lines 7-16.) The pointer is moved within the data receiving region via the input device to create user indicia of authorization within the data receiving region and a fitting algorithm is applied to the user indicia. (Specification at 15, lines 11-14, paragraph 3.) The user indicia is then compressed and the compressed user indicia is converted to a digital bitmap image. (Specification at 15, paragraph 3.) The user indicia is then stored in a database. (Specification at 15, paragraph 3.) A unique code is then assigned to the user indicia.

6. Grounds of Rejection To Be Reviewed On Appeal:

The following are the grounds of rejection to be reviewed:

a. The rejection of claims 1-8, 12 and 14-17 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,680,470 to Moussa et al. (hereinafter "Moussa"); and

b. The rejection of claims 9-11 and 13 under 35 U.S.C. 103(a) as being unpatentable over Moussa in view of U.S. Patent N. 6,064,751 to Smithies et al. (hereinafter "Smithies").

7. Argument:

a. The Office's Rejection of Claims 1-8, 12 and 14-17 as being Anticipated by Moussa is Improper As Moussa Fails To Teach Each Element of the Claims

(1) Claims 1 and 5 set forth the following:

1. A data receiving device for accepting user indicia of authorization on a computer network having a user computer, wherein the user computer includes a display device and a pointer that defines locations on the display device, comprising:

an input device, wherein the input device is configured to control the pointer in the computer and configured to move the pointer in a continuous path on the display device;

a data processor, the data processor further comprising:

a software applet, wherein the software applet configures an input pad, comprising a data receiving region, the data receiving region being defined by a matrix grid;

a fitting algorithm, wherein the fitting algorithm is configured to smooth user indicia input into the input pad;

a storage database; and

a processing script, wherein the processing script receives the processed input user indicia and stores the user indicia in the storage database.

5. A system for receiving and processing user indicia of authorization, on a computer network comprising:

a user computer, wherein the user computer includes an input device, a display device and a pointer that defines locations on the display device, wherein the input device is configured to move the pointer in a continuous path on the display device;

a data processor, the data processor further comprising:

a software applet, wherein the software applet configures an input pad on the display device comprising a data receiving region, the data receiving region being defined by a matrix grid;

a fitting algorithm, wherein the fitting algorithm is configured to smooth user indicia in the data receiving region by the user;

a storage database; and

a processing script, wherein the processing script receives the processed input user indicia and stores the indicia in the storage database.

The Office rejects claims 1-8, 12 and 14-17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,680,470 to Moussa ("Moussa"). This rejection is respectfully traversed.

The Moussa reference is directed to a signature verification method. In Moussa, "a test signature is entered, may be preprocessed and examined for test features". (Moussa, Abstract). The test features may be compared to features of a previously stored set of template signatures and verification is made as to whether the test features are present in an input signature. (Moussa, Abstract).

The Office states that the Moussa reference discloses a data receiving device having a user computer, the user computer having "a display device (Fig. 1, element 105) and a pointer that defines locations on the display device (Fig. 1, element 104)". (Final Office Action, p. 3.) The Office states that the input device (Fig. 1, element 102) is configured to control the pointer in the computer and move the pointer in a continuous path on the display device. (Final Office Action, p. 3.) The Applicant respectfully disagrees.

The input device 102 in Moussa "for receipt of an input signature 103" includes "a writing implement 104 and a pressure plate 105". Col. 2, lines 39-40. The language of claims 1

and 5 requires that the *input device* be "configured to control the pointer in the computer (claim 1) and [be] configured to move the pointer in a continuous path on the display device" (claims 1 and 5). Specifically, the writing implement 104 and the pressure plate 105 must be "configured to control the pointer in the computer and [be] configured to move the pointer in a continuous path on the display device". In contrast to the assertion by the Office, these devices do *not* "control the pointer in the computer", nor are they "configured to move the pointer in a continuous path on the display device". The input device 102 (see Figure 1) is coupled to the processor 106, and there is no discussion in the Moussa patent of control of the pointer in the computer, or the input device being "configured to move the pointer in a continuous path on the display device" as required in the claims. Indeed, the input device does not control the pointer, i.e., writing implement, nor is it configured to move the writing implement in a continuous path on the display device.

The Office has indicated that the display device is the pressure plate 105, and has further indicated that the pointer is the writing implement 104. These are distinct elements required in claims 1 and 5, and thus, cannot also comprise the input device 102, as specified in the Moussa patent ("an input device 102, for receipt of an input signature 103, such as a writing implement 104 and a pressure 105" Col. 2, lines 39-41). Claim construction requires that each element of the claim be consistently interpreted.

Even assuming the writing implement 104 is the pointer as recited in claims 1 and 5, as stated above, this writing implement 104 is not *controlled* by the input device 105; rather, it is controlled by the user. Further, the pointer of Moussa, the writing implement 104, is not *in* the computer. It is a peripheral instrument that is attached to the computer and used by the user. The claim language requires control of the pointer by the input device. If the claim language is applied in accordance with interpretation by the Office, the input device would be controlling itself. However, as set forth above, the input device does not control the writing implement, i.e., the pointer, as required by the claim language, even assuming the inconsistent interpretation of the claim elements is correct.

Further, assuming the pressure plate 105 is the display device, the input device "is not configured to move the [writing implement] in a continuous path along the display device" as required in claims 1 and 5. Instead, as stated above, a user operates the writing implement, i.e., pointer, to move it across the pressure plate 105 to sign their name.

The Office further states that the data processor (Fig. 1, element 106) comprises a software applet, "wherein the software applet configures an input pad". (Final Office Action, p. 3.) In contrast to the Office's assertion, there is no indication that Moussa teaches or suggests a data processor that comprises a software applet that "configures an input pad comprising a data receiving region." The data receiving region in the Moussa reference is the pressure plate 105 (which has already been defined by the Office as the display device). This pressure plate 105 is a physical object that is attached to the computer, and is not *configured* by a software applet as required by the claim language.

Further, there is no teaching or suggestion that the data receiving region is defined by a matrix as required in the claim language. To understand the rejection from the Office, the pressure plate 105, which has already been defined as the display device of the input device, must now also be defined as the data receiving region. As stated above, claim construction requires consistent interpretation of the elements of the claim, and further, to anticipate a claim, a reference must meet each limitation in the claim. In this instance, the pressure plate 105 is being assigned two different limitations in the claim.

In response to Applicant's request for reconsideration, the Office issued an Advisory Action stating that the application is not in condition for allowance, and maintains its rejection of claims 1-17. The Office supports this conclusion by the following argument:

> Applicant argues that there is no teaching or suggestion that the data receiving region is defined by a matrix as required in the claim language. However, the Office responds that Moussa discloses "at a partition step 402, the input signature 103 may be partitioned into m equal intervals along the X axis. (i.e., matrix). A preferred value for m may be 64. The smallest and largest X coordinates may be determined and the X interval for input signature 103 may be divided into m equal intervals. Each pixel may be assigned to one of these intervals" (Col. 4, lines 39-67 and Col. 6, lines 1-40). (Advisory Action, note attached.)

This is the o*nly* comment offered by the Office and no other arguments or comments proffered by the Applicant are addressed, including the inconsistencies in the claim interpretation. The Office's comments are solely directed to partitioning the input signature 103; however, the Office fails to address the fact that the pressure plate 105, which the Office has defined as the display device of the input device, is now being further defined as a data receiving region. The claim language requires the *data receiving region* to be "defined by a matrix grid." If the pressure plate 105 meets this limitation, i.e., the pressure grid is defined by a matrix grid,

since the requirement for a matrix grid cannot be read without reference to the data receiving region, the pressure plate 105 by implication is the data receiving region. However, the pressure plate 105 has already been defined as the display device of the input device, and thus, cannot also meet both these claim limitations. Hence, the Moussa reference cannot anticipate the claims as it does not meet every limitation set forth in the claims. The Office fails to address this inconsistency in the reading of the claims and thus, fails to support its rejection of these claims.

Finally, the Office simply states that the Moussa reference teaches a processing script that receives the "processed input user indicia and stores the user indicia in the storage database". (Final Office Action, p. 3.) However, the Office fails to support this assertion with any reference in the patent. If the user indicia in Moussa is the test signature, this claim limitation is not met as the test signature is not stored in the storage database. If the user indicia in Moussa is the template signature, "the *features* of the template signature may be determined and stored in an associative memory or a data structure with associative memory capabilities." See generally, Moussa, Abstract, Col. 4, lines 17-20; Col. 6, lines 41-44, exemplary claims 1 and 15.

(2) Dependent Claims 12 and 14-17 depend directly or indirectly from independent claims 1 and 5, and thus, are not anticipated by the Moussa reference.

Each of the dependent claims 12 and 14-17 recite further features that distinguish these claims from the prior art. Since independent claims are not anticipated by the Moussa reference, the dependent claims are not anticipated, and are thus allowable.

With respect to claim 14, the Office states that Moussa discloses "a data retrieval mechanism, wherein the data retrieval mechanism is configured to restrict access to the storage database. (Col. 3, lines 42-55)." This rejection is respectfully traversed. In addition to the arguments set forth above, a review of the referenced portion of the patent (col. 3, lines 42-55), reveals that the Moussa reference does not teach, or even suggest, a data retrieval mechanism, nor does it teach or suggest a data retrieval mechanism that is "configured to restrict access to the storage database." This portion of the Moussa reference discusses explicitly verifying the identification of the user to the system via voice input, photograph, and the like, or by the generation of a verification signal 108 and a comparison with stored verification signals. The Applicant respectfully does not agree that this portion, or any other portion of Moussa teaches "a data retrieval mechanism, wherein the data retrieval mechanism is configured to restrict access to the storage database." Thus, claim 14 is further not anticipated by Moussa.

With respect to claim 15, the Office states that Moussa discloses "the input device input device further compris[ing] an entry member, wherein the depression of the entry member activates the data input capability of the input device. (Col. 2, lines 35-67 and Col. 3, lines 1-12)." This rejection is respectfully traversed. In addition to the arguments set forth above, a review of the referenced portion of the patent (Col. 2, lines 35-67 and Col. 3, lines 1-12), reveals that the Moussa reference does not teach, or even suggest "an entry member" or an "entry member, wherein the depression of the entry member activates the data input capability of the input device." The portions of the patent referenced by the Office references the stylus as the writing implement, and states "that other types of input device would also be workable." There is no indication that this stylus includes an entry member. The entry member is a separate limitation from the writing implement, yet the Office seems to be suggesting that the writing implement itself is the entry member. The vague language in the patent to a "stylus" or "other types of input devices" does not teach, or even suggest, "an entry member, wherein the depression of the entry member activates the data input capability of the input device" as required in claim 15. In light of the interpretation of the claim limitations previously set forth by the Office, the limitation of "an entry member" cannot be met by the writing implement 104 ("stylus") and thus, claim 15 is not anticipated by Moussa as it fails, in part, to teach an entry member.

With respect to claim 16, the Office states that Moussa discloses "a participant computer, wherein the participant computer is assigned a participant code and a data retrieval mechanism (i.e., feature retrieval and signature comparison) (Col. 10-13, lines 1-67)." This rejection is respectfully traversed. The Applicant notes that the Office cites three (3) entire columns as support for this assertion, but yet fails to specifically identify any language of the Moussa reference other than a reference to "feature retrieval and signature comparison", the caption language of column 10. However, there is no identification of the "participant computer", a required element of claim 16. Review of the Moussa reference, including the cited portion, does not reveal "a participant computer ...which is assigned a participant code" as required by claim 16. For this, and other reasons, claim 16 is not anticipated by Moussa.

With respect to claim 17, which depends from claim 16, the Office states that Moussa discloses that "the data retrieval mechanism is configured to restrict the access of the participant computer to the user indicia stored in the storage database which is associated with the

participant code. (Col. 10-13, lines 1-67)." This rejection is respectfully traversed. The Office again cites the entirety of columns 10-13, but yet fails to identify the participant computer, the participant code, or any language which teaches that the "the data retrieval mechanism is configured to restrict the access of the participant computer to the user indicia stored in the storage database which is associated with the participant code." Indeed, as there is no teaching of a participant computer, or participant code, there is no requirement to teach restricting access to the participant computer to the data in the database associated with the participant code, and indeed, there is no such teaching of this claim limitation in the Moussa reference. As such, claim 17 is not anticipated by Moussa for these reasons and the arguments set forth above with respect to the independent claims.

As independent claims 1 and 5 are not anticipated by the Moussa reference, dependent claims 2-4, 6-8, 12 and 14-17 are not anticipated by the Moussa reference. The Moussa reference further fails to teach the limitations of claims 14-17. As such, the Applicant contends that these claims are allowable.

b. The Office's Rejection of Claims 9-11 and 13 As Being Rendered Obvious By Moussa In View of Smithies is Erroneous

Claim 9 sets forth the following:

9. A method for receiving and processing user indicia of authorization on a computer network having a user computer, wherein the user computer includes an input device, a display device and a pointer that defines locations on the display device, wherein the input device includes an entry member and is configured to move the pointer in a continuous path on the display device, comprising:

presenting a user an HTML page containing an applet, wherein the applet configures an input pad having a data receiving region on the display device;

placing the pointer within the data receiving region via the input device;

depressing the entry member on the input device;

moving the pointer within the data receiving region via the input device to create user indicia of authorization within the data receiving region;

applying a fitting algorithm to the user indicia;

compressing the user indicia;

converting the compressed user indicia to a digital bitmap image;

assigning a unique code to the user indicia; and

storing the user indicia in a database.

The Office further rejects claims 9-11 and 13 as being unpatentable over Moussa in view of U.S. Patent No. 6,064,751 to Smithies. This rejection is respectfully traversed.

The Office states that Moussa discloses:

> a method for receiving and processing user indicia of authorization on a computer network having a user computer, wherein the user computer includes an input device (Fig. 1, element 102), a display device (Fig. 1, element 105) and a pointer that defines locations on the display device (Fig. 1, element 104), wherein the input device includes an entry member and is configured to move the pointer in a continuous path on the display device...." (Final Office Action, p. 5).

With respect to independent claim 9, the arguments set forth above regarding the input device 102, display device 105 and pointer are applicable. Further, as discussed above, Moussa does not teach "an entry member" on the input device. Indeed, as argued above, there is nothing in Figure 1 of Moussa that teaches the entry member other than the writing implement 104, and as discussed above, the writing implement 104 has already been designated as the pointer. As claim construction requires that all the claims be read consistently, the elements of claim 1 must be interpreted the same manner as the elements of claim 9. Further still, and as argued above, the input device 102 is not "configured to move the pointer in a continuous path on the display device." Indeed, the input device 102 is not configured to move the pointer, namely, the writing implement 104, in a continuous path.

The Office further states that Moussa discloses:

> "placing the pointer within the data receiving region via the input device, *depressing the entry member* on the input device" (Office Action, p. 5, emphasis added); and

> "moving the pointer within the data receiving region via the input device to create user indicia of authorization within the data receiving region, applying a fitting algorithm to the user indicia, *compressing the user indicia, converting the compressed user indicia to a digital bitmap image* (col. 4, lines 45-67 and col. 5, lines 1-67 and col. 6, lines 1-40)" (Office Action, p. 5-6, emphasis added).

Moussa does not teach "depressing the entry member", "compressing the user indicia" or "converting the compressed user indicia to a digital bitmap image" as required by the language

of claim 9. Although the Office has referenced several columns (col. 4, lines 45-67, col. 5, lines 1-67 and col. 6, lines 1-40), these columns do not teach the required limitations. Indeed, column 4, lines 46-67 state that the "test normalization step 205 may each include a smoothing step, a rotation step, and a resizing step". None of these steps are "depressing the entry member", "compressing the user indicia" or "converting the compressed user indicia to a digital bitmap image". Indeed the resizing step merely scales the input signature to a uniform size (col. 6, lines 20-22); however, there is no indication that the signature is compressed.

The Office further states that "Moussa does not expressly disclose presenting a user an HTML page containing an applet, wherein the applet configures an input pad having a data-receiving region on the display device." However, the Office states that "Smithies discloses presenting a user an HTML page containing an applet, wherein the applet configures an input pad having a data-receiving region on the display device. (Col. 10, lines 10-67 and Col. 11, lines 1-20)" (Office Action, p. 6).

The Office states that the motivation to combine the Moussa reference and Smithies reference is "to assist in maintaining a single intended use for each act of signing such that a signature submitted on one document cannot be used on another. (Col. 7, lines 1-10)" The Applicant respectfully disagrees.

There is no motivation to combine the Smithies reference with the Moussa reference as the Moussa reference is a *signature verification* system. The verification of the signature is not coupled to a specific document, but rather is a system which verifies that a person "seeking access" to a software program or software controlled device via a current signature of the user attempting to access the restricted system. Thus, a stored, single intended use signature "submitted on one document [which] cannot be used on another" is not contemplated by the Moussa system, nor is there a need for such a single intended use signature. Rather, the Moussa system stores features of a template signature that are used to verify that a user currently attempting to obtain access to a restricted system is authorized. There is no comparison or review of a previously signed document, and the combination of these references will not produce a system wherein documents are reviewed. Instead, the features of the template signature of the user are compared to the corresponding features of the current signature offered to obtain access to the system. In this regard, there is no motivation to combine Moussa and Smithies as it is not suggested or supported by the comments in Smithies

Further, the Smithies reference does not "present[] a user an HTML page containing an applet, wherein the applet configures an input pad having a data receiving region on the display device" as required by the claim language. Indeed, as discussed below, the Smithies reference teaches away from the use of an HTML page.

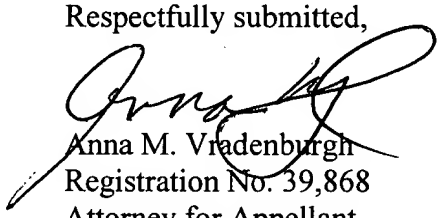
The Smithies reference states that the signature capture module 4 displays a "form or window 20". See Smithies, col. 10, lines 9-11. There is no indication that this is an HTML page containing an applet that "configures an input pad having a data receiving region". Indeed, the Smithies disclosure states that the "signature capture module 4 ... utilizes a set of APIs (Application Program Interfaces) to permit the incorporation of signature capture ... into many different applications" (col. 8, lines 14-17), thereby teaching away from an HTML page containing an applet. Further, the signature capture module 4 "requires the availability of both a graphical display device and a digitizer." Col. 8, lines 28-30. This is contrary to the present invention, which does not require the use of a digitizer. Indeed, the use of an HTML page containing the applet allows the signature to be captured without the necessity of any further equipment or downloading of software. The Smithies window presupposes a digitizer system as stated in its disclosure, and thus, cannot be an HTML page containing an applet as required by the claim language.

8. Conclusion

In view of the foregoing arguments, it is respectfully submitted that claims 1-17 are in condition for allowance and the application should be allowed in its present form. In particular, it is respectfully submitted that the Moussa reference fails to meet every limitation of the independent claims 1 and 5, and therefore, these claims are allowable. Further, all claims depending, directly or indirectly therefrom, namely, claims 2-8, 12, and 14-17 are allowable in their present form. Additionally, independent claim 9 is not anticipated by Moussa, and is further not rendered obvious by the combination of Moussa and Smithies. In this regard, all claims depending, directly or indirectly, from claim 9, namely, claims 10 and 11, are also allowable.

The Commissioner is hereby authorized to charge any filing fees, or additional fees which may be required regarding this application, or credit any overpayment, to Deposit Account No. 11-1580. If any extensions of time are required under 37 CFR §1.136, Applicant hereby petitions for such extension and authorizes payment of any such extension fees to Deposit Account No. 11-1580.

Respectfully submitted,



Dated: March 31, 2006

Anna M. Vradenburgh
Registration No. 39,868
Attorney for Appellant

CLAIM APPENDIX

1. A data receiving device for accepting user indicia of authorization on a computer network having a user computer, wherein the user computer includes a display device and a pointer that defines locations on the display device, comprising:

an input device, wherein the input device is configured to control the pointer in the computer and configured to move the pointer in a continuous path on the display device;

a data processor, the data processor further comprising:

a software applet, wherein the software applet configures an input pad comprising a data receiving region, the data receiving region being defined by a matrix grid;

a fitting algorithm, wherein the fitting algorithm is configured to smooth user indicia input into the input pad;

a storage database; and

a processing script, wherein the processing script receives the processed input user indicia and stores the user indicia in the storage database.

2. A data receiving device as claimed in claim 1, wherein the software applet is configured to receive input data from the input device.

3. A data receiving device as claimed in claim 2, wherein the input data is a handwritten signature.

4. A data receiving device as claimed in claim 1, wherein the structure of the matrix grid is defined by pixel coordinates.

5. A system for receiving and processing user indicia of authorization, on a computer network, comprising:

a user computer, wherein the user computer includes an input device, a display device and a pointer that defines locations on the display device, wherein the input device is configured to move the pointer in a continuous path on the display device;

a data processor, the data processor further comprising:

a software applet, wherein the software applet configures an input pad on the display device, comprising a data receiving region, the data receiving region being defined by a matrix grid;

a fitting algorithm, wherein the fitting algorithm is configured to smooth user indicia input in the data receiving region by the user;

a storage database; and

a processing script, wherein the processing script receives the processed user indicia and stores the indicia in the storage database.

6. A system as claimed in claim 5 further comprising a data retrieval mechanism.

7. A system as claimed in claim 5, wherein the software applet is configured to receive input data from the input device.

8. A system as claimed in claim 7, wherein the input data is a handwritten signature.

9. A method for receiving and processing user indicia of authorization on a computer network having a user computer, wherein the user computer includes an input device, a display device and a pointer that defines locations on the display device, wherein the input device includes an entry member and is configured to move the pointer in a continuous path on the display device, comprising:

presenting a user an HTML page containing an applet, wherein the applet configures an input pad having a data receiving region on the display device;

placing the pointer within the data receiving region via the input device;

depressing the entry member on the input device;

moving the pointer within the data receiving region via the input device to create user indicia of authorization within the data receiving region;

applying a fitting algorithm to the user indicia;

compressing the user indicia;

converting the compressed user indicia to a digital bitmap image;

assigning a unique code to the user indicia; and

storing the user indicia in a database.

10. A method as claimed in claim 9, further comprising recording field information associated with the user indicia.

11. A method as claimed in claim 9, further comprising retrieving the stored user indicia.

12. A data receiving device as claimed in claim 4, wherein the user indicia is defined by the value of the pixel coordinates upon which the user indicia is deposited in the data receiving region.

13. A data receiving device as claimed in claim 1, wherein the software applet is integrated into an HTML page.

14. A data receiving device as claimed in claim 1, further comprising a data retrieval mechanism, wherein the data retrieval mechanism is configured to restrict access to the storage database

15. A data receiving device as claimed in claim 1, wherein the input device further comprises an entry member, wherein the depression of the entry member activates the data input capability of the input device.

16. A system as claimed in claim 5, further comprising a participant computer, wherein the participant computer is assigned a participant code and a data retrieval mechanism.

17. A system as claimed in claim 16, wherein the data retrieval mechanism is configured to restrict the access of the participant computer to the user indicia stored in the storage database which is associated with the participant code.

CERTIFICATE OF MAILING. Express Mail Label No. EV 460257680 US: I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop Appeal Briefs-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on the date shown below:

Date: March 31, 2006 By: Anna M. Vradenburgh

Docket No. 756-24-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Raffie Eskandarian**	
Serial No.: 09/912,764	**Examiner: Sherkat, A.**
Filed: July 25, 2001	**Art Unit: 2131**
For: Method, Process and Apparatus For Receiving, Storing and Accessing Authorization Data	

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Transmitted herewith is an Appeal Brief for the above-referenced application. A check in the amount of $250.00 is enclosed in payment for the Appeal Brief filing fee. Applicant claims small entity status.

The Commissioner is authorized to charge any additional fee that may be required, or credit any overpayment, to Deposit Account No. 11-1580.

Respectfully submitted,

Dated: March 31, 2006

Anna M. Vradenburgh
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PTO/SB/17 (12-04v2)
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Effective on 12/08/2004.
Fees Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☑ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	250.00

Complete if Known	
Application Number	09/912,764
Filing Date	July 25, 2001
First Named Inventor	Raffie Eskandarian
Examiner Name	Sherkat, A.
Art Unit	2131
Attorney Docket No.	756-24-002

METHOD OF PAYMENT (check all that apply)

☑ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 11-1580 Deposit Account Name: Anna M. Vradenburgh

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee ($)	FILING FEES Small Entity Fee ($)	SEARCH FEES Fee ($)	SEARCH FEES Small Entity Fee ($)	EXAMINATION FEES Fee ($)	EXAMINATION FEES Small Entity Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
17 - 20 or HP =	0	x	= 0

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
3 - 3 or HP =	0	x 0	= 0

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims Fee ($)	Multiple Dependent Claims Fee Paid ($)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____ / 50 =	_____ (round up to a whole number)	x _____	= _____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Filing Fee for Appeal Brief	250.00

SUBMITTED BY

Signature	Anna M. Vradenburgh	Registration No. (Attorney/Agent) 39,868	Telephone (805) 373-0060
Name (Print/Type)	Anna M. Vradenburgh		Date March 31, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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